

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF	Samuel Mendez CY-7322	COURT CASE NUMBER	05-35E
DEFENDANT	Dr. Mark Baker, D.O.	TYPE OF PROCESS	42 U.S.C. §1983
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN		
	Dr. Mark Baker, D.O.		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)		
	SCI-Albion, 10745 Rt. 18 Albion, Pa. 16475-0002		

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	1
Samuel Mendez CY-7322 10745 Rt. 18 Albion, Pa. 16475-0002		Number of parties to be served in this case	4
		Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

Signature of Attorney or other Originator requesting service on behalf of: <i>Samuel Mendez</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER N/A	DATE 1-23-05
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk	Date
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I hereby certify and return that I ☐ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)				<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)				Date of Service 8/15/05	Time am pm
				Signature of U.S. Marshal or Deputy <i>John E. Blum</i>	
Service Fee <i>802</i>	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges <i>802</i>	Advance Deposits	Amount owed to U.S. Marshal or Amount of Refund

REMARKS: mailed -

3/10/05

WAIVER OF SERVICE OF SUMMONS

TO: Samuel Mendez Pr Se

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PARTY)

(TITLE)

I acknowledge receipt of your request that I was served with a summons in the
 action of Mendez v. PA dept corrections, et al, which is case number

(CAPTION OF ACTION)

CA 05-35 E in the United States District Court for the

(DOCKET NUMBER)

Western District of PA
 I have also received a copy of the complaint in the action, two copies of this instrument,
 and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the
 complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting)
 be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to
 the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect
 in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose
 behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60
 days after Aug 19 2005, or within 90 days after that date if the request was sent
 outside the United States.
 (Date Request was sent)

8-15-05
 (DATE)

Mark B. B. B.

Print/Typed Name Mark B. B. B.

As Medical Director

(Title)

of SEPA

(Corporate Defendant)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A
 defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will
 be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in
 a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of summons retains all defenses and objections
 (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the
 complaint and must also file a signed copy of the response with the Court. If the answer or motion is not served within this time, a default judgment may be taken against that
 defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

05-35E

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BAKER